

REMARKS

This application has been reviewed in light of the Office Action dated May 16, 2007. Claims 44-49, 62, 63, 68, and 69 are pending in this application. Claims 44, 49, 62, 63, 68, and 69, the independent claims, have been amended to define Applicants' invention more clearly. Favorable reconsideration is requested.

Claims 44, 46-49, 62, 63, 68 and 69 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,823,367 (*Wakasugi*). Claims 44, 49, 62, 63, 68, and 69 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent No. 6,687,742 (*Iwazaki*) in view of *Wakasugi*; and Claims 45-48, as being obvious from *Iwazaki*, in view of *Wakasugi*, and further in view of U.S. Patent No. 6,327,046 (*Miyamoto*).

Applicants submit that independent Claims 44, 49, 62, 63, 68, and 69, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 44 is directed to an image communicating apparatus which is connected to a network capable of performing E-mail communication. The apparatus includes a transmitting unit, a receiving unit, a requesting unit, a communication managing unit, an analyzing unit, a judgment unit, and a notifying unit. The transmitting unit is adapted to send E-mail data accompanied by an image file, and the receiving unit is adapted to receive E-mail data. The requesting unit is adapted to add, selectively, information for requesting a message disposition notification to the E-mail data to be sent to a receiver by the transmitting unit. The communication managing unit is adapted to manage transmission management information of the sent E-mail data. The analyzing unit is adapted to analyze how the sent E-mail data to which information for requesting the message disposition

notification was added is processed by the receiver, by analyzing the message disposition notification included in the E-mail data received by the receiving unit and capable of representing plural kinds of processed results as processed results for the sent E-mail by the receiver. The judgment unit is adapted to judge whether or not a result of the transmission of the sent E-mail data to which the information for requesting the message disposition notification was added succeeded, based on an analysis result by the analyzing unit. The notifying unit is adapted to notify a user of the image communicating apparatus based on the transmission management information managed by the communication managing unit. The communication managing unit updates the transmission management information by information showing whether or not the transmission of the sent E-mail data succeeded, on the basis of a judged result provided by the judgment unit. Furthermore, the notifying unit notifies the user of the image communicating apparatus whether or not the transmission of the sent E-mail data succeeded, on the basis of the updated transmission management information, so that the user of the image communicating apparatus can confirm whether or not the transmission of the sent E-mail data succeeded, without reading the message disposition information.

Among other features of Claim 44 are that the analyzing unit is adapted to analyze how the sent E-mail data to which information for requesting the message disposition notification was added is processed by the receiver, by analyzing the message disposition notification included in the E-mail data received by the receiving unit and capable of representing plural kinds of processed results as processed results for the sent E-mail by the receiver.

By virtue of the features of Claim 44, an analyzing unit analyzes an MDN (message disposition notification) that is capable of representing plural kinds of processed results as a processed result for a sent E-mail on a reception side, and thus specifies how sent E-mail data

to which information requesting the MDN was added is processed. Also, in addition to messages such as “displayed”, “dispatched” and the like in the MDN, that indicate that the process on the reception side was performed correctly, messages such as “deleted”, “failed” and the like, that indicate that the process on the reception side was not performed correctly, can be included as a disposition type to the header of “Disposition:”. Thus, the MDN can represent these plural kinds of processed results as information indicating how the received E-mail was processed on the reception side. Accordingly, if it is specified by analyzing the MDN how the sent E-mail was processed on the reception side, it is possible to correctly judge whether or not transmission of the sent E-mail succeeded.

Wakasugi, as understood by Applicants, relates to a network facsimile apparatus that transmits electronic mail through a network by a mail system thereon. Apparently, in *Wakasugi* (col. 7, lines 11-20; S104 in Fig. 3), a network facsimile apparatus judges whether or not a received E-mail is a transmission confirmation mail (i.e., MDN) as shown in Fig. 5. However, in *Wakasugi* (see, e.g., S401 in Fig. 10), if the received E-mail is the MDN, the network facsimile updates a communication management information table to “OK” without analyzing the content of the MDN. That is, the network facsimile in *Wakasugi* may analyze the received E-mail to judge whether or not the received E-mail is the MDN in S104 of Fig. 3. However, such analysis is to judge whether or not the received E-mail is the MDN; it is not to specify how a sent E-mail was processed on a reception side.

Moreover, the Office Action states at page 3: “(as illustrated in Fig. 5 ‘Disposition manual-action/MDN-send-Manually; displayed’ is checked/analyzed to indicate the reception process of the sent email data received by the receiving unit) (*Wakasugi*, Fig. 5 and col. 7, lines 11-20 and lines 37-47)”. However, Applicants submit that that portion of *Wakasugi* does not

teach or suggest the analyzing unit of Claim 44.

Further, as shown in Fig. 5 of *Wakasugi*, the MDN represents only one kind of processed result on the reception side, i.e., only “Disposition manual-action/MDN-send-Manually; displayed”. Accordingly, the network facsimile in *Wakasugi* is not equipped with an analyzing unit capable of representing plural kinds of processed results as the processed results by the receiver.

As discussed above, the network facsimile apparatus in *Wakasugi* sets the transmission result of E-mail to “OK” only based on the reception of the MDN. That is, in such a case, even if a message “failed” is described on the header of “Disposition:” of the MDN, the network facsimile in *Wakasugi* sets the transmission result of E-mail to “OK”. Thus, the network facsimile in *Wakasugi* cannot correctly judge whether or not the transmission of the sent E-mail succeeded. The network facsimile in *Wakasugi* may set “ERR” as the transmission result. However, this operation is performed in a case in which a received E-mail is an error mail from a server (see, e.g., *Wakasugi*, col. 7, lines 21-31; S106 in Fig. 3; col. 10, lines 19-29; and S501 in Fig. 15). This error mail is not transmitted from the receiver of the sent E-mail.

Nothing has been found in *Wakasugi* that would teach or suggest an analyzing unit adapted to analyze how sent E-mail data to which information for requesting a message disposition notification was added is processed by a receiver, by analyzing the message disposition notification included in the E-mail data received by a receiving unit and capable of representing plural kinds of processed results as processed results for the sent E-mail by the receiver, as recited in Claim 44.

Accordingly, Applicants submit that Claim 44 is not anticipated by *Wakasugi*, and respectfully request withdrawal of the rejection under 35 U.S.C. §102(e).

Independent Claims 49, 62, 63, 68, and 69 each recite features which are similar to those discussed above with respect to Claim 44. Therefore, those claims also are believed to be patentable over *Wakasugi* for at least the reasons discussed above.

Iwazaki, as understood by Applicants, relates to a transmitter which is equipped with the structure of receiving an MDN. However, in *Iwazaki*, even if the MDN is received, the transmitter only records a processed result described in the received MDN to transmission history information. The transmitter in *Iwazaki* does not specify, by analyzing the MDN, how a sent E-mail was processed on a reception side, and also does not judge whether or not the result of transmission of the sent E-mail succeeded. Further, *Iwazaki* does not notify a user of the result of transmission of the sent E-mail based on the judged result, and does not update transmission management information based on the judged result.

Moreover, as discussed above, even if the network facsimile apparatus of *Wakasugi* is deemed to output the transmission result of the E-mail as “OK” or “ERR”, that apparatus merely outputs the transmission result “OK” only when receiving the MDN. *Wakasugi* does not specify, by analyzing the MDN, how a sent E-mail was processed on a reception side, and does not output “OK” or “ERR” as the transmission result of the sent E-mail.

Nothing has been found in *Iwazaki* or *Wakasugi*, whether considered either separately or in any permissible combination (if any), that would teach or suggest (1) an analyzing unit, adapted to analyze how the sent E-mail data to which information for requesting the message disposition notification was added is processed by the receiver, by analyzing the message disposition notification included in the E-mail data received by the receiving unit and capable of representing plural kinds of processed results as processed results for the sent E-mail by the receiver; and (2) a judgment unit, adapted to judge whether or not a result of the transmission of

the sent E-mail data to which the information for requesting the message disposition notification was added succeeded, based on an analysis result by the analyzing unit, as recited in Claim 44.

Accordingly, Applicants submit that Claim 44 is patentable over *Iwazaki* and *Wakasugi*, whether considered either separately or in any permissible combination (if any), and respectfully request withdrawal of the rejection under 35 U.S.C. §103(a).

Independent Claims 49, 62, 63, 68, and 69 each recite features which are similar to those discussed above with respect to Claim 44. Therefore, those claims also are believed to be patentable for at least the reasons discussed above.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application depend from Claim 44 discussed above and, therefore, are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by

telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

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